

OCT 15 1986

INTER-OFFICE COMMUNICATION FROM
THE OFFICE OF
CLERK OF THE BOARD OF COUNTY COMMISSIONERS

DATE: October 10, 1986

TO: Jan Winters, County Administrator
Lisa Heasley, County Attorney's Office
Glen Torcivia, Asst. Co. Attorney
David Bludworth, State Attorney
Joy Shearer, Asst. Attorney General
Captain Cook, Sheriff's Dept.-Civil
Jerry Nolan, Sheriff's Office-Admin.
John Lehner, PZ&B
Bob Palchanis, Building Division
Patty Young, 4th Dist. Ct. of Appeals
Law Library
County Library (2)
Pinky Yount, PBC Municipal League, Inc.
1708 N. Lakeside Drive, Lake Worth, FL 33460
OTHER: Jean Cramer, Administration
Tom McLaughlin, Finance
Judy Hemberger, Finance
Denise Smyth, Finance
Richard Iavarone
Vera Rose, Personnel
Payroll Dept.
Jack McGregor, Internal Auditor

FROM: John W. Dame
Chief Deputy Clerk

RE: PALM BEACH COUNTY ORDINANCE DISTRIBUTION

ORDINANCE NO. 86-34

TITLE REFERENCE:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE PALM BEACH COUNTY EMPLOYEE TUITION REFUND PROGRAM OF 1972, ORDINANCE 72-6, 75-2; PROVIDING FOR.....

Attached is a copy of the above referenced Ordinance of Palm Beach County. This Ordinance has been filed with Florida Department of State and forwarded to Municipal Code Corporation for codification. The effective date is October 6, 1986.

JWD:ph/lc

attachment

cc:* Commissioners, BCC
Clerk of BCC
Minutes

* If a copy of ord. is needed please advise Ms. Lorie Clinger, Finance Department at 837-2959. .

3-K

ORDINANCE NO. 86- 34

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
PALM BEACH COUNTY, FLORIDA, AMENDING THE PALM BEACH
COUNTY EMPLOYEE TUITION REFUND PROGRAM OF 1972,
ORDINANCE NO. 72-6, 75-2; PROVIDING FOR OBJECTIVES;
PROVIDING FOR QUALIFICATION; PROVIDING FOR
ELIGIBILITY; PROVIDING FOR EMPLOYEE OBLIGATIONS;
PROVIDING FOR PROCEDURE; PROVIDING FOR APPLICABILITY;
PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL
OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE
DATE.

WHEREAS, Florida Statute 125.01 authorizes Counties to provide
for the health, welfare and well being of citizens of the County; and

WHEREAS, it is in the public interest to provide for the
improved efficiency and productivity of County employees; and

WHEREAS, the County has previously enacted Ordinance No. 72-6,
which was amended by Ordinance No. 75-2 which Ordinances established the
Palm Beach County Employee Tuition Refund Program of 1972, which program
provided for the reimbursement of certain tuition costs for County
employees for approved course work; and

WHEREAS, the Board of County Commissioners of Palm Beach County
has determined that it serves the public interest to amend said
Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

TITLE

This article shall be designated and may be cited as the "Palm
Beach County Employee Tuition Refund Program ~~of 1972~~."

Section 1. Objectives

Section 1, Objectives, is hereby amended to read:

The objectives of the Palm Beach County Employee Tuition Refund
Program ~~of 1972~~ are to promote a program encouraging ~~county-~~ Palm Beach
County Board of County Commissioners (hereinafter "County") employees to

1 improve their effectiveness ~~by-obtaining~~ through education and additional
2 ~~training in-order-that-they-may-better~~ to improve increase their
3 efficiency and ability to carry out ~~the-duties-of-their-job~~ their job
4 duties, to promote the County's affirmative action effort and to
5 fulfill the public purpose of the County organization. The Palm Beach
6 County Employee Tuition Refund Program shall provide employees with a
7 reimbursement of their tuition costs for approved course work, which will
8 enable them to improve their performance in their current positions
9 and/or prepare them for increased or other responsibilities within the
10 County organization.

11 Section 2. Qualifications and Limitations:

12 Section 2, Qualifications, is amended to read:

13 All employees who take approved course work related to their
14 job, to career advancement or redirection within the County organization
15 or leading to a degree relating to their job or to career advancement
16 or redirection within the County organization shall be entitled to a
17 refund of their paid tuition costs. Said refund shall be based upon
18 the satisfactory completion of approved course work. For graded
19 undergraduate courses, employees achieving a grade of "C" or above
20 shall receive a refund of one hundred percent (100%) of their paid
21 tuition costs. For graded graduate courses, employees achieving a grade
22 of "B" or above shall receive a refund of one hundred percent (100%) of
23 their paid tuition costs. For ungraded courses, such as correspondence
24 courses and continuing education courses, employees receiving a
25 certificate of completion or similar document shall receive a refund of
26 one hundred percent (100%) of their paid tuition costs.

27 Credit courses taken on a pass/fail basis are not eligible for a
28 tuition refund. and-achieve-a-grade-of-"A"-in-either-undergraduate-or
29 graduate-work-shall-be-entitled-to-a-refund-of-one-hundred-per-cent
30 (100%)-of-tuition-costs-upon-completion-of-the-course:--Employees-who
31 achieve-a-grade-of-"B"-will-be-entitled-to-a-refund-of-seventy-five-per
32 cent-(75%)-of-tuition-costs-upon-completion-of-the-course:--Employees-who
33 achieve-a-grade-of-"C"-will-be-entitled-to-a-refund-or-fifty-per-cent
34 (50%)-of-tuition-costs-upon-completion-of-the-course:

1 The total annual cost ~~of~~ to Palm Beach County will not exceed ~~two~~
2 ~~hundred-fifty-dollars-(\$250.00)~~ five hundred dollars (\$500.00) per year
3 per employee. ~~and-tuition-refund-will-not-be-given-those-employees~~
4 ~~who-qualify-for-similar-benefits-under-the-G.I.-Bill,-or-any-other-~~
5 ~~tuition-refund-or-reimbursement-program,-policy-or-agreement.~~ If an
6 employee is eligible to receive tuition refunds or similar funds or
7 benefits through the G.I. Bill or other similar program, policy or
8 agreement (hereinafter "other program"), the County will refund only
9 those tuition costs not funded by said other program, provided the total
10 amount paid to, or on behalf of, an employee (from such other program(s)
11 and from the County) does not exceed the actual tuition cost, and
12 further provided that the total annual cost to the County will not
13 exceed five hundred dollars (\$500.00) per year per employee.

14 Section 3. Eligibility

15 Section 3, Eligibility is amended to read:

16 All part-time (20 hours or more) and full-time permanent career
17 employees (i.e., those ~~not-on-probation~~ who have successfully completed
18 their initial probation period prior to the course completion date) in
19 the County service are eligible to participate in the tuition refund
20 program. An eligible course is any course which, in the judgment of
21 ~~the-county administrator and~~ the director of Employee Relations and
22 Personnel, is ~~directly~~ related to the employee's career field or
23 career advancement or redirection within the County organization.

24 ~~The-total-annual-cost-of-Palm-Beach-County-will-not-exceed-two~~
25 ~~hundred-fifty-dollars-(\$250.00)-per-year-per-employee,-and-tuition~~
26 ~~reimbursement-will-not-be-given-those-employees-who-qualify-for-similar~~
27 ~~benefits-under-the-G.I.-Bill,-or-any-other-tuition-refund-or-~~
28 ~~reimbursement-program,-policy-or-agreement.~~

29 Section 4. Employee Obligation:

30 Section 4, Employee Obligation is amended to read:

31 All employees receiving reimbursement up to \$250.00 per
32 calendar year under this program will be obligated to remain in the
33 employ of the County for a minimum of one (1) year following satisfactory
34 completion of the course work. Those employees receiving more than

1 \$250.00 in tuition refund within a calendar year will be obligated to
2 remain in the employ of the County for a minimum of two (2) years
3 following satisfactory completion of the course work. Employees
4 resigning or discharged from the County service prior to the expiration
5 of ~~this~~ the required period will reimburse the County for refunds
6 received. The County may recoup the funds through deductions from the
7 employee's ~~their~~ final ~~payroll~~ paycheck(s) and/or through such other
8 collection means as the County elects to use. Employees who are
9 discharged due to a reduction in force or layoff will not be required
10 to reimburse the County for tuition refunds received.

11 Prior to the tuition reimbursement of any employee pursuant to
12 this article, said employee shall have entered into a contract whereby
13 the employee agrees to the following:

- 14 (1) That said employee will remain in the employ of the County
15 for the required period of time ~~one-year~~ following
16 completion of course work.
- 17 (2) That should said employee resign or be discharged from
18 County service prior to the expiration of the required
19 ~~one-year~~ period, the employee will reimburse the County
20 for refunds received.
- 21 (3) ~~and~~ That the County is authorized to deduct amounts
22 equalling said reimbursements from the employee's final
23 ~~payroll~~ paycheck(s) and/or through use such other
24 collection means as the County elects.
- 25 (4) That if said employee is eligible to receive tuition
26 refunds or similar funds or benefits through the G.I. Bill
27 or other program, policy or agreement (hereinafter "other
28 program"), the County will refund only those tuition costs
29 not funded by said other program, provided the total
30 amount paid to or on behalf of, an employer (from such
31 other program(s) and from the County) does not exceed the
32 actual tuition cost, and further provided that the total
33 annual cost to the County will not exceed five hundred
34 dollars (\$500.00) per year per employee.

1 Section 5. Procedure

2 Section 5, Procedure is amended to read:

3 (a) Application. Employees desiring to participate in the
4 tuition refund program shall submit to their department head one copy of
5 the "Application for Tuition Refund" no later than five (5) days
6 following the close of registration for the course. Department heads
7 will affix their recommendation and forward the application to the
8 director of Employee Relations and Personnel, who will coordinate the
9 program.

10 (b) Review. All applications, whether or not they are
11 recommended by the department head, ~~or not~~ will be reviewed by ~~the county~~
12 ~~administrator and~~ the director of Employee Relations and Personnel,
13 ~~the latter who~~ shall be responsible for notifying all applicants of the
14 action taken.

15 (c) Reimbursement. All approved applicants will submit a
16 request for reimbursement along with tuition receipts and official grade
17 notifications ~~through~~ to the director of Employee Relations and Personnel
18 ~~to the personnel committee~~ no later than thirty (30) days from receipt
19 of grades or from completion of the course in the case of an ungraded
20 course. The director of Employee Relations and Personnel ~~committee~~ will
21 authorize payments under this program. Persons who are candidates for
22 certificates or degrees must also submit a statement from their academic
23 department chair, indicating the title of the degree or certificate
24 sought and the field of specialization, if this is not already indicated
25 on the official grade notice.

26 Section 6. Applicability:

27 It is hereby provided that this article shall constitute a
28 uniform law applicable in all unincorporated and incorporated areas of
29 Palm Beach County, Florida, to the extent permitted by the Florida
30 Constitution, Article VII, Section 1.

31 REPEAL OF LAWS IN CONFLICT

32 All local laws and ordinances applying to the unincorporated
33 area of Palm Beach County in conflict with any provisions of this
34 ordinance are hereby repealed.

1 SEVERABILITY

2 If any section, paragraph, sentence, clause, phrase, or word of
3 this ordinance is for any reason held by the Court to be unconstitu-
4 tional, inoperative or void, such holding shall not affect the remainder
5 of this ordinance.

6 INCLUSION IN THE CODE OF LAWS AND ORDINANCES

7 The provisions of this ordinance shall become and be made a
8 part of the code of laws and ordinances of Palm Beach County, Florida.
9 The Sections of the ordinance may be renumbered or relettered to
10 accomplish such, and the word "ordinance" may be changed to "section,"
11 "article," or any other appropriate word.

12 EFFECTIVE DATE

13 The provisions of this ordinance shall become effective upon
14 receipt of acknowledgement by the Secretary of State.

15 APPROVED AND ADOPTED by the Board of County Commissioners of
16 Palm Beach County, Florida, on the 23 day of September, 1986.

17 PALM BEACH COUNTY, FLORIDA, BY ITS
18 BOARD OF COUNTY COMMISSIONERS

19 *Karen Marcus*
20 By _____
 Chair

21 APPROVED AS TO FORM AND
22 LEGAL SUFFICIENCY

23 *Ken Torina*
24 County Attorney

25 Acknowledgement by the Department of State of the State of
26 Florida, on this, the 1st day of October, 1986.

27 EFFECTIVE DATE: Acknowledgement from the Department of State
28 received on the 6th day of October, 1986, at 11:53 A.M., and
29 filed in the Office of the Clerk of the Board of County Commissioners of
30 Palm Beach County, Florida.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, JOHN B. DUNKLE, ex-officio Clerk of the
Board of County Commissioners certify this to
be a true and correct copy of the original filed in
my office on September 23, 1986
DATED at West Palm Beach, FL on 10/10/86
JOHN B. DUNKLE, Clerk
By: *John B. Dunkle* D.C.
Deputy Clerk